## 1AC

### Inherency

#### Professors on public college campuses use trigger warnings constantly.

Kamenetz 16 Anya (Anya Kamenetz is NPR's lead education blogger. She joined NPR in 2014, working as part of a new initiative to coordinate on-air and online coverage of learning.) “Half Of Professors In NPR Ed Survey Have Used 'Trigger Warnings'” NPR September 7th 2016 <http://www.npr.org/sections/ed/2016/09/07/492979242/half-of-professors-in-npr-ed-survey-have-used-trigger-warnings>

This school year, the University of Chicago has put the debate over "trigger warnings" on campus back in the news. The University [told incoming freshmen](http://www.npr.org/2016/08/26/491531869/university-of-chicago-tells-freshmen-it-does-not-support-trigger-warnings) that, because of its commitment to freedom of expression, it does not support warnings to students about potentially difficult material. But amid all the attention to trigger warnings, there have been very few facts about exactly how common they are and how they're used. NPR Ed sent out a survey last fall to faculty members at colleges and universities around the country. We focused specifically on the types of institutions most students attend — not the elite private universities most often linked to the "trigger warning" idea. We received more than 800 responses, and this month as the issue once again made headlines we followed up with some of those professors. Here are some of our key findings: About half of professors said they've used a trigger warning in advance of introducing potentially difficult material. Most said they did so of their own volition, not because of a student's request or an administrative policy. This was not a scientific sample, but it's one of the larger and more representative polls to be published on the topic to date. Our sample included 829 instructors of undergraduates. Just over half of our respondents, 53.9 percent, said they teach at public four-year institutions and 27 percent said they were at two-year institutions. These instructors were overwhelmingly familiar with trigger warnings: 86 percent knew the term and 56 percent said they had heard of colleagues who had used them. But only 1.8 percent said, as of last fall, that their institutions had any official policies about their use.

### Plan Text

#### Public colleges and universities in the United States ought not require that professors and faculty use trigger warnings.

#### The plan falls under the purview of the topic—the Court has interpreted colleges as deserving special amounts of protection because they are marketplaces of ideas.

Doll 16 Jordan (Honors, Oberlin College Politics Department) “Trauma and Free Speech in Higher Education: Do Trigger Warnings Threaten First Amendment Rights?” Spring 2016 JW

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”10 The relatively simple language of the US Constitution’s First Amendment belies the complexity of these rights. Differing interpretation abound. What is speech? What is the value of speech? When, if ever, can the government limit an individual’s right to speak? The rationale of the First Amendment—why we need this amendment in the first place—is significant to the discourse on the constitutionality of trigger warnings. Freedom of expression has never been absolute in America. The Court has long held that restraints on free expression may be “permitted for appropriate reasons.”11 Laws during colonial America punished seditious libel against elected officials. After the ratification of the Constitution, the Sedition Act of 1798 was used to prosecute publishers of “false, scandalous, and malicious writing or writings against the government of the United States”.12 (The act was rigorously enforced until 1801 when President Thomas Jefferson pardoned all convicted under the act.) The Sedition Act resulted partly from foreign policy tensions between the US and France. Foreign policy concerns continued to spawn infringements on speech into the 20th century. During WWI the Espionage Act outlawed speech intended “to incite, provoke or encourage resistance to the United States.”13 The Supreme Court ruled this Act did not violate the First Amendment in 1919.14 Today, laws that restrict speech during certain times and at certain places, laws that restrict speech that incites imminent lawless action, and other restrictions are constitutional. The Supreme Court often references the purpose of the First Amendment to justify constitutional abridgments. Because limits on free speech are sometimes constitutional, the purpose of the First Amendment is not singularly and unequivocally to protect all forms of expression. The most common rationals for the First Amendment include promoting self- government, self-fulfillment and autonomy, and pursuing and discovering truth. The last is most applicable to a legal analysis of trigger warnings. This paper works off the assumption that higher education is an institutionalized search for truth. Professors and students come together to learn, question, and discover. College admissions sites tout their institutions as spaces for thinking critically, discovering one’s passion, and learning about the world. Legal scholars construct higher education as essential for the pursuit of truth. Legal scholar David Rabban argues that "constitutional academic freedom . . . provide professors more protection for professional speech and less protection for unprofessional speech than the free speech clause would afford the same statements by nonacademics" (227).15 The Courts have argued universities inhabit “a peculiar place in the marketplace of ideas”,16 and have a unique level of protection to preserve an environment of exploration, speculation, and a spirit of free inquiry. The Court often cites the marketplace of ideas as a model for the pursuit of truth in the USA. Justice Oliver Wendell Holmes first used the concept to defend First Amendment rights in 1919. The search-for-truth rational is partly based in the writing of John Stuart Mill, who articulated this concept in his essay On Liberty.17 John Stuart Mill, a 19th century philosopher and economist, envisioned a society where rational individuals could consider and choose from all ideas and forms of expression. As in a free market economy, the demand for the best ideas would drive up the supply of those ideas. Ideas that were not up to snuff would be left by the wayside. All ideas are welcome and necessary in the marketplace, but only the best ideas—the most sensible, the most moral, etc.—survive. The marketplace of ideas is often connected to liberal democracy because it prohibits a central control on discourse. No authority—such as a King or a totalitarian leader—may suppress ideas that contradict their own. Mill’s rationale, a favorite of the Supreme Court’s, frequently justifies the protection of speech. In his dissenting but highly influential opinion in Abrams v. United States,18 Justice Holmes argued that the unimpeded free trade of ideas serves the “ultimate good” of democracy. “The best test of truth is the power of the thought to get itself accepted in the competition of the market.” To critics, trigger warnings restrict the free market place of ideas. Trigger warnings may act as censorship, and offensive or triggering ideas will never make it to the market place. For example, classroom materials described as triggering in my interviews were sometimes deemed unacceptable for the classroom all together. Some students who read a novel that depicted a graphic rape scene in an intro history course argued the book should not be included in future courses; the rape was too triggering. Critics of trigger warnings would argue, if this novel is eliminated from the syllabus for future classes, the work will not reach the classroom, which is an essential component to the market place of ideas at institutions of higher education. The pursuit of truth misses an opportunity to engage with a work because it is too triggering for some students.

#### Trigger warning suggestions and requirements are currently chilling freedom of expression on campus.

AAUP 14 American Association of University Professors “On Trigger Warnings” This report was drafted by a subcommittee of Committee A on Academic Freedom and Tenure in August 2014 and has been approved by Committee A. <https://www.aaup.org/report/trigger-warnings> JW

A current threat to academic freedom in the classroom comes from a demand that teachers provide warnings in advance if assigned material contains anything that might trigger difficult emotional responses for students. This follows from earlier calls not to offend students’ sensibilities by introducing material that challenges their values and beliefs. The specific call for “trigger warnings” began in the blogosphere as a caution about graphic descriptions of rape on feminist sites, and has now migrated to university campuses in the form of requirements or proposals that students be alerted to all manner of topics that some believe may deeply offend and even set off a post-traumatic stress disorder (PTSD) response in some individuals. Oberlin College’s original policy (since tabled to allow for further debate in the face of faculty opposition) is an example of the range of possible trigger topics: “racism, classism, sexism, heterosexism, cissexism, ableism, and other issues of privilege and oppression.” It went on to say that a novel like Chinua Achebe’s Things Fall Apart might “trigger readers who have experienced racism, colonialism, religious persecution, violence, suicide and more.” It further cautioned faculty to “[r]emove triggering material when it does not contribute directly to the course learning goals.” As one report noted, at Wellesley College students objected to "a sculpture of a man in his underwear because it might be a source of 'triggering thoughts regarding sexual assault.' While the [students’] petition acknowledged that the sculpture might not disturb everyone on campus, it insisted that we share a 'responsibility to pay attention to and attempt to answer the needs of all of our community members.' Even after the artist explained that the figure was supposed to be sleepwalking, students continued to insist it be moved indoors."\* The presumption that students need to be protected rather than challenged in a classroom is at once infantilizing and anti-intellectual. It makes comfort a higher priority than intellectual engagement and—as the Oberlin list demonstrates—it singles out politically controversial topics like sex, race, class, capitalism, and colonialism for attention. Indeed, if such topics are associated with triggers, correctly or not, they are likely to be marginalized if not avoided altogether by faculty who fear complaints for offending or discomforting some of their students. Although all faculty are affected by potential charges of this kind, non-tenured and contingent faculty are particularly at risk. In this way the demand for trigger warnings creates a repressive, “chilly climate” for critical thinking in the classroom. Our concern extends to academic libraries, the repositories of content spanning all cultures and types of expression. We think the statement of the American Library Association regarding “labeling and rating systems” applies to trigger warnings. “Prejudicial labels are designed to restrict access, based on a value judgment that the content, language, or theme of the material, or the background or views of the creator(s) of the material, render it inappropriate or offensive for all or certain groups of users….When labeling is an attempt to prejudice attitudes, it is a censor’s tool.” Institutional requirements or even suggestions that faculty use trigger warnings interfere with faculty academic freedom in the choice of course materials and teaching methods. Faculty might feel pressured into notifying students about course content for fear that some students might find it disturbing. Of course there may be instances in which a teacher judges it necessary to alert students to potentially difficult material and that is his or her right. Administrative requirements are different from individual faculty decisions. Administration regulation constitutes interference with academic freedom; faculty judgment is a legitimate exercise of autonomy.

### Adv 1 = Discussions

#### Instead of avoiding tricky conversations, we should open up spaces for meaningful discourse—this requires a concerted effort to reject trigger warnings, which are absent in the real world.

Haidt 15 Jonathan Haidt (social psychologist and professor of ethical leadership at the NYU-Stern School of Business) and Greg Lukianoff (president and CEO of the Foundatino of Individual Rights in Education) “The Coddling of the American Mind” The Atlantic September 2015 <http://www.theatlantic.com/magazine/archive/2015/09/the-coddling-of-the-american-mind/399356/>

Attempts to shield students from words, ideas, and people that might cause them emotional discomfort are bad for the students. They are bad for the workplace, which will be mired in unending litigation if student expectations of safety are carried forward. And they are bad for American democracy, which is already paralyzed by worsening partisanship. When the ideas, values, and speech of the other side are seen not just as wrong but as willfully aggressive toward innocent victims, it is hard to imagine the kind of mutual respect, negotiation, and compromise that are needed to make politics a positive-sum game. Rather than trying to protect students from words and ideas that they will inevitably encounter, colleges should do all they can to equip students to thrive in a world full of words and ideas that they cannot control. One of the great truths taught by Buddhism (and Stoicism, Hinduism, and many other traditions) is that you can never achieve happiness by making the world conform to your desires. But you can master your desires and habits of thought. This, of course, is the goal of cognitive behavioral therapy. With this in mind, here are some steps that might help reverse the tide of bad thinking on campus. The biggest single step in the right direction does not involve faculty or university administrators, but rather the federal government, which should release universities from their fear of unreasonable investigation and sanctions by the Department of Education. Congress should define peer-on-peer harassment according to the Supreme Court’s definition in the 1999 case *Davis v. Monroe County Board of Education*. The *Davis* standard holds that a single comment or thoughtless remark by a student does not equal harassment; harassment requires a pattern of objectively offensive behavior by one student that interferes with another student’s access to education. Establishing the *Davis* standard would help eliminate universities’ impulse to police their students’ speech so carefully. Universities themselves should try to raise consciousness about the need to balance freedom of speech with the need to make all students feel welcome. Talking openly about such conflicting but important values is just the sort of challenging exercise that any diverse but tolerant community must learn to do. Restrictive speech codes should be abandoned. Universities should also officially and strongly discourage trigger warnings. They should endorse the American Association of University Professors’ report on these warnings, which notes, “The presumption that students need to be protected rather than challenged in a classroom is at once infantilizing and anti-intellectual.” Professors should be free to use trigger warnings if they choose to do so, but by explicitly discouraging the practice, universities would help fortify the faculty against student requests for such warnings.

#### Generalized trigger warnings in classroom settings hinder discussion by diverting dialogue.

Filipovic 14 Jill (blogger at Feministe. She holds a JD and BA from New York University) “We’ve gone too far with ‘trigger warnings’” Guardian march 5th 2014 <http://www.theguardian.com/commentisfree/2014/mar/05/trigger-warnings-can-be-counterproductive>

It is true that everything on the above list might trigger a PTSD response in someone. The trouble with PTSD, though, is that its triggers are often unpredictable and individually specific – a certain smell, a particular song, being touched in that one way. It's impossible to account for all of them, because triggers are by their nature not particularly rational or universally foreseeable. Some are more common than others, though, which is why it seems reasonable enough for explicitly feminist spaces to include trigger warnings for things like assault and eating disorders. College, though, is different. It is not a feminist blog. It is not a social justice Tumblr. College isn't exactly the real world either, but it's a space for kinda-sorta adults to wade neck-deep into art, literature, philosophy, and the sciences, to explore new ideas, to expand their knowledge of the cultural canon, to interrogate power and to learn how to make an argument and to read a text. It is, hopefully, a space where the student is challenged and sometimes frustrated and sometimes deeply upset, a place where the student's world expands and pushes them to reach the outer edges – not a place that contracts to meet the student exactly where they are. Which doesn't mean that individual students should not be given mental health accommodations. It's perfectly reasonable for a survivor of violence to ask a professor for a heads up if the reading list includes a piece with graphic descriptions of rape or violence, for example. But generalized trigger warnings aren't so much about helping people with PTSD as they are about a certain kind of performative feminism: they're a low-stakes way to use the right language to identify yourself as conscious of social justice issues. Even better is demanding a trigger warning – that identifies you as even more aware, even more feminist, even more solicitous than the person who failed to adequately provide such a warning. There is real harm in utilizing general trigger warnings in the classroom. Oberlin College recommends that its faculty "remove triggering material when it does not contribute directly to the course learning goals". When material is simply too important to take out entirely, the college recommends trigger warnings. For example, Oberlin says, Chinua Achebe's Things Fall Apart is a great and important book, but: … it may trigger readers who have experienced racism, colonialism, religious persecution, violence, suicide, and more. Students should be duly warned by the professor writing, for example, "Trigger warning: This book contains a scene of suicide." On its face, that sounds fine (except for students who hate literary spoilers). But a trigger warning for what Oberlin identified as the book's common triggers – racism, colonialism, religious persecution, violence, suicide (and more!) – sets the tone for reading and understanding the book. It skews students' perceptions. It highlights particular issues as necessarily more upsetting than others, and directs students to focus on particular themes that have been singled out by the professor as traumatic. At Rutgers, a student urged professors to use trigger warnings as a sort of Solomonic baby-splitting between two apparently equally bad choices: banning certain texts or introducing works that may cause psychological distress. Works the student mentioned as particularly triggering include F Scott Fitzgerald's The Great Gatsby, Junot Diaz's This Is How You Lose Her and Virginia Woolf's Mrs Dalloway. The warnings would be passage-by-passage, and effectively reach "a compromise between protecting students and defending their civil liberties". But the space between comfort and freedom is not actually where universities should seek to situate college students. Students should be pushed to defend their ideas and to see the world from a variety of perspectives. Trigger warnings don't just warn students of potentially triggering material; they effectively shut down particular lines of discussion with "that's triggering". Students should – and do – have the right to walk out of any classroom. But students should also accept the challenge of exploring their own beliefs and responding to disagreement. Trigger warnings, of course, don't always shut down that kind of interrogation, but if feminist blogs are any example, they quickly become a way to short-circuit uncomfortable, unpopular or offensive arguments. That should concern those of us who love literature, but it should particularly trouble the feminist and anti-racist bookworms among us.

### Adv 2 = Coalitions

#### The overemphasis on creating a safe space pits those with unified causes against each other while ignoring the power structures that cause the traumatic events that they want to avoid talking about.

Halberstam 14 Jack Halberstam “You Are Triggering me! The Neo-Liberal Rhetoric of Harm, Danger and Trauma” July 5th 2014 http://bullybloggers.wordpress.com/2014/07/05/you-are-triggering-me-the-neo-liberal-rhetoric-of-harm-danger-and-trauma/

Claims about being triggered work off literalist notions of emotional pain and cast traumatic events as barely buried hurt that can easily resurface in relation to any kind of representation or association that resembles or even merely represents the theme of the original painful experience. And so, while in the past, we turned to Freud’s mystic writing pad to think of memory as a palimpsest, burying material under layers of inscription, now we see a memory as a live wire sitting in the psyche waiting for a spark. Where once we saw traumatic recall as a set of enigmatic symptoms moving through the body, now people reduce the resurfacing of a painful memory to the catch all term of “trigger,” imagining that emotional pain is somehow similar to a pulled muscle –as something that hurts whenever it is deployed, and as an injury that requires protection. Fifteen to twenty years ago, books like Wendy Brown’s States of Injury (1995) and Anna Cheng’s The Melancholy of Race: Psychoanalysis, Assimilation and Hidden Grief (2001) asked readers to think about how grievances become grief, how politics comes to demand injury and how a neoliberal rhetoric of individual pain obscures the violent sources of social inequity. But, newer generations of queers seem only to have heard part of this story and instead of recognizing that neoliberalism precisely goes to work by psychologizing political difference, individualizing structural exclusions and mystifying political change, some recent activists seem to have equated social activism with descriptive statements about individual harm and psychic pain. Let me be clear – saying that you feel harmed by another queer person’s use of a reclaimed word like tranny and organizing against the use of that word is NOT social activism. It is censorship. In a post-affirmative action society, where even recent histories of political violence like slavery and lynching are cast as a distant and irrelevant past, all claims to hardship have been cast as equal; and some students, accustomed to trotting out stories of painful events in their childhoods (dead pets/parrots, a bad injury in sports) in college applications and other such venues, have come to think of themselves as communities of naked, shivering, quaking little selves – too vulnerable to take a joke, too damaged to make one. In queer communities, some people are now committed to an “It Gets Better” version of consciousness-raising within which suicidal, depressed and bullied young gays and lesbians struggle like emperor penguins in a blighted arctic landscape to make it through the winter of childhood. With the help of friendly adults, therapy, queer youth groups and national campaigns, these same youth internalize narratives of damage that they themselves may or may not have actually experienced. Queer youth groups in particular install a narrative of trauma and encourage LGBT youth to see themselves as “endangered” and “precarious” whether or not they actually feel that way, whether or not coming out as LGB or T actually resulted in abuse! And then, once they “age out” of their youth groups, those same LGBT youth become hypersensitive to all signs and evidence of the abuse about which they have learned. What does it mean when younger people who are benefitting from several generations now of queer social activism by people in their 40s and 50s (who in their childhoods had no recourse to anti-bullying campaigns or social services or multiple representations of other queer people building lives) feel abused, traumatized, abandoned, misrecognized, beaten, bashed and damaged? These younger folks, with their gay-straight alliances, their supportive parents and their new right to marry regularly issue calls for “safe space.” However, as Christina978-0-8223-5470-3\_pr Hanhardt’s Lambda Literary award winning book, Safe Space: Neighborhood History and the Politics of Violence, shows, the safe space agenda has worked in tandem with urban initiatives to increase the policing of poor neighborhoods and the gentrification of others. Safe Space: Gay Neighborhood History and the Politics of Violence traces the development of LGBT politics in the US from 1965-2005 and explains how LGBT activism was transformed from a multi-racial coalitional grassroots movement with strong ties to anti-poverty groups and anti-racism organizations to a mainstream, anti-violence movement with aspirations for state recognition. And, as LGBT communities make “safety” into a top priority (and that during an era of militaristic investment in security regimes) and ground their quest for safety in competitive narratives about trauma, the fight against aggressive new forms of exploitation, global capitalism and corrupt political systems falls by the way side. Is this the way the world ends? When groups that share common cause, utopian dreams and a joined mission find fault with each other instead of tearing down the banks and the bankers, the politicians and the parliaments, the university presidents and the CEOs? Instead of realizing, as Moten and Hearny put it in The Undercommons, that “we owe each other everything,” we enact punishments on one another and stalk away from projects that should unite us, and huddle in small groups feeling erotically bonded through our self-righteousness. I want to call for a time of accountability and specificity: not all LGBT youth are suicidal, not all LGBT people are subject to violence and bullying, and indeed class and race remain much more vital factors in accounting for vulnerability to violence, police brutality, social baiting and reduced access to education and career opportunities. Let’s call an end to the finger snapping moralism, let’s question contemporary desires for immediately consumable messages of progress, development and access; let’s all take a hard long look at the privileges that often prop up public performances of grief and outrage; let’s acknowledge that being queer no longer automatically means being brutalized and let’s argue for much more situated claims to marginalization, trauma and violence. Let’s not fiddle while Rome (or Paris) burns, trigger while the water rises, weep while trash piles up; let’s recognize these internal wars for the distraction they have become. Once upon a time, the appellation “queer” named an opposition to identity politics, a commitment to coalition, a vision of alternative worlds. Now it has become a weak umbrella term for a confederation of identitarian concerns. It is time to move on, to confuse the enemy, to become illegible, invisible, anonymous (see Preciado’s Bully Bloggers post on anonymity in relation to the Zapatistas). In the words of José Muñoz, “we have never been queer.” In the words of a great knight from Monty Python and the Holy Grail, “we are now no longer the Knights who say Ni, we are now the Knights who say “Ekki-ekki-ekki-ekki-PTANG. Zoom-Boing, z’nourrwringmm.”

#### A consensus of psychologists agree exposure is good and trigger warnings are bad. Trigger warnings cause more trauma than they’re meant to prevent.

Waters 14 Florence Waters “Trigger warnings: more harm than good?” The Telegraph October 4th 2014 http://www.telegraph.co.uk/culture/books/11106670/Trigger-warnings-more-harm-than-good.html

Prof Metin Basoglu, a psychologist internationally recognised for his trauma research, agreed to talk to me over the telephone about the issue. He told me it was now generally acknowledged that anxiety-inducing trauma reminders were frequent in trauma survivors. “We come across the phenomenon a lot,” he said. “Our patients come across these cues, these reminders of trauma, and they can provoke distress in varying intensities. They respond with anxiety and distress; all of the memories come up; occasionally they have flashback episodes, which can be quite dramatic and intense.” Basoglu is the founder of trauma studies at the Institute of Psychiatry, King’s College London, but he returned in September to Turkey, where he advises at the Istanbul Centre for Behaviour Therapy and Research (which he also founded). Over the years he has worked with patients with PTSD as well as survivors of mass trauma events, and has been publishing his findings since the early Nineties. Basoglu gave me an example of how wide-ranging and idiosyncratic such triggers could be: “I worked with a torture survivor who had been forced into signing a blank sheet of paper. The authorities used it to say she had signed a confession. She was conditioned to the colour white. She was not able to come close to white socks, for example.” According to Basoglu, “an infinite number of situations can act as triggers”, from characteristic smells, conversations, objects and social situations to watching television, reading a newspaper and listening to the news. In a world increasingly mediated by images and content that we have no control over, does he think it’s advisable for the media to issue trigger warnings? “There would be no point,” he said. “You cannot get a person to avoid triggers in their day-to-day lives. It would be impossible.” But, given a chance to think it over, Basoglu went much further than that. “The media should actually – quite the contrary… Instead of encouraging a culture of avoidance, they should be encouraging exposure. “Most trauma survivors avoid situations that remind them of the experience. Avoidance means helplessness and helplessness means depression. That’s not good. “Exposure to trauma reminders provides an opportunity to gain control over them. This is the essence of the treatment that we are using to help trauma survivors. It involves encouraging the patient not to avoid reminders of trauma, but in fact to make a point of exposing themselves to reminders of trauma so that they can develop a tolerance. “I liken it to a vaccination. You get a small dose of the virus so that the body can develop immunity towards it. Psychologically it’s the same phenomenon.” When asked why he thinks the subject is rousing such strong emotions, Basoglu laughed down the telephone from his office in Istanbul. “Any form of anxiety and distress is impermissible in Western culture,” he said. Then, very soberly, he added: “Anxiety is not an undesirable emotion. It’s a human emotion.” Based on his research, Basoglu believes trauma should not be treated with methods that seek to prevent anxiety, but rather the regaining and reconstruction of a sense of control. He referred to a study carried out after a 1999 earthquake in Turkey, for which thousands of survivors were interviewed, their recovery monitored over a period of time. It showed unexpected results at the time. “To our amazement, those that came across greater opportunities for exposure to trauma reminders recovered faster.” The study showed that the single most important factor that contributed to decline in PTSD and depression among survivors was the return to living at home or in concrete buildings (as opposed to camps where survivors were living in tents). The report stated that living in concrete housing after an earthquake “leads to self-instigated exposure to feared situations, such as staying alone in the house… Exposure helps survivors overcome their earthquake-related fears and to recover from PTSD and depression.” This stands for many victims of rape and abuse too. One of his patients, a woman from Congo who had been gang-raped, was unable to go to the hairdresser because the men who raped her had dragged her on the floor by her hair. “Of course she was in total avoidance of male hairdressers,” Basoglu told me. “Her treatment – her homework – was to go to a male hairdresser and have her hair done. She recovered. Completely.” Basoglu’s team uses various memory triggers for their rehabilitation model. They make a list of avoidance behaviours, based on activities that patients are not able to engage in. The treatment involves going through the list one by one and giving exercises that involve exposure. “Reminders are really the essence of the basic conditions for recovery from trauma,” he said. He claims to have seen a 90 per cent success rate in recovery after six weekly sessions. “We advocate a media campaign whereby the public are encouraged not to avoid trauma-related thoughts or reminders,” he said, talking specifically of mass trauma events. What happens, though, when you take a trauma survivor who is confronted with anxiety and flashbacks out of a mediated or safe environment? Is the outcome the same as it is when it is in therapy? “Many people discover the benefits of exposure for themselves. I’ve seen people who have said, ‘If I hadn’t started driving soon after the accident I’d have never driven again.’ ” There is still the problem of the not insignificant 10 per cent who don’t recover. Also, is it not unreasonable, in a country that is lucky enough to offer myriad paths to trauma recovery, that people might opt for a gentler way to come to terms with their own memories? Still, if there’s a lesson to be learnt from the fury expressed on both sides of the argument, it’s that a culture that panders to the delicate of this world will only feed the more bullying side of the less-than-delicate.

### Fwk

#### The standard is minimizing oppression.

#### 1. Rejecting oppression is the only way to account for dominant ideologies that skew our perception of normative ideals.

Mills 5 Charles W. Mills (John Evans Professor of Moral and Intellectual Philosophy) ““Ideal Theory” as Ideology” Hypatia vol. 20, no. 3 (Summer 2005) JW

Now what distinguishes ideal theory is not merely the use of ideals, since obviously nonideal theory can and will use ideals also (certainly it will appeal to the moral ideals, if it may be more dubious about the value of invoking idealized human capacities). What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual. As O’Neill emphasizes, this is not a necessary corollary of the operation of abstraction itself, since one can have abstractions of the ideal-as-descriptive-model type that abstract without idealizing. But ideal theory either tacitly represents the actual as a simple deviation from the ideal, not worth theorizing in its own right, or claims that starting from the ideal is at least the best way of realizing it. Ideal theory as an approach will then utilize as its basic apparatus some or all of the following concepts and assumptions (there is necessarily a certain overlap in the list, since they all intersect with one another): An idealized social ontology. Moral theory deals with the normative, but it cannot avoid some characterization of the human beings who make up the society, and whose interactions with one another are its subject. So some overt or tacit social ontology has to be presupposed. An idealized social ontology of the modern type (as against, say, a Platonic or Aristotelian type) will typically assume the abstract and undifferentiated equal atomic individuals of classical liberalism. Thus it will abstract away from relations of structural domination, exploitation, coercion, and oppression, which in reality, of course, will profoundly shape the ontology of those same individuals, locating them in superior and inferior positions in social hierarchies of various kinds. • Idealized capacities. The human agents as visualized in the theory will also often have completely unrealistic capacities attributed to them—unrealistic even for the privileged minority, let alone those subordinated in different ways, who would not have had an equal opportunity for their natural capacities to develop, and who would in fact typically be disabled in crucial respects. • Silence on oppression. Almost by defi nition, it follows from the focus of ideal theory that little or nothing will be said on actual historic oppression and its legacy in the present, or current ongoing oppression, though these may be gestured at in a vague or promissory way (as something to be dealt with later). Correspondingly, the ways in which systematic oppression is likely to shape the basic social institutions (as well as the humans in those institutions) will not be part of the theory’s concern, and this will manifest itself in the absence of ideal-as-descriptive-model concepts that would provide the necessary macroand micro-mapping of that oppression, and that are requisite for understanding its reproductive dynamic. • Ideal social institutions. Fundamental social institutions such as the family, the economic structure, the legal system, will therefore be conceptualized in ideal-as-idealized-model terms, with little or no sense of how their actual workings may systematically disadvantage women, the poor, and racial minorities. • An idealized cognitive sphere. Separate from, and in addition to, the idealization of human capacities, what could be termed an idealized cognitive sphere will also be presupposed. In other words, as a corollary of the general ignoring of oppression, the consequences of oppression for f the social cognition of these agents, both the advantaged and the disadvantaged, will typically not be recognized, let alone theorized. A general social transparency will be presumed, with cognitive obstacles minimized as limited to biases of self-interest or the intrinsic difficulties of understanding the world, and little or no attention paid to the distinctive role of hegemonic ideologies and group-specifi c experience in distorting our perceptions and conceptions of the social order.

#### 2. Freedom is necessary to hold people responsible for actions-this is the foundation of moral philosophy.

Wolff 70 Robert Paul Wolff, In Defense of Anarchism, University of California Press 1970 JW 2/6/15

The fundamental assumption of moral philosophy is that [people] men are responsible for their actions. From this assumption it follows necessarily, as Kant pointed out, that [people] men are metaphysically free, which is to say that in some sense they are capable of choosing how they shall act. Being able to choose how he acts makes a man responsible, but merely choosing is not in itself enough to constitute taking responsibility for one's actions. Taking responsibility involves attempting to determine what one ought to do, and that, as philosophers since Aristotle have recognized, lays upon one the additional burdens of gaining knowledge, reflecting on motives, predicting outcomes, criticizing principles, and so forth.

#### Undermining structural violence is necessary for mutual recognition and thus freedom.

Duquette David A. Duquette (Professor of Philosophy St. Norton’s College) “Hegel: Social and Political Thought” Internet Encyclopedia of Philosophy

According to Hegel, the relationship between self and otherness is the fundamental defining characteristic of human awareness and activity, being rooted as it is in the emotion of desire for objects as well as in the estrangement from those objects, which is part of the primordial human experience of the world. The otherness that consciousness experiences as a barrier to its goal is the external reality of the natural and social world, which prevents individual consciousness from becoming free and independent. However, that otherness cannot be abolished or destroyed, without destroying oneself, and so ideally there must be reconciliation between self and other such that consciousness can “universalize” itself through the other. In the relation of dominance and subservience between two consciousnesses, say lord and bondsman, the basic problem for consciousness is the overcoming of its otherness, or put positively, the achieving of integration with itself. The relation between lord and bondsman leads to a sort of provisional, incomplete resolution of the struggle for recognition between distinct consciousnesses.

#### The role of the ballot is to evaluate the simulated consequences of the aff policy. Prefer this

#### 1. The state is inevitable- speaking the language of power through policymaking is the only way to create social change in debate.

Coverstone 5 Alan Coverstone (masters in communication from Wake Forest, longtime debate coach) “Acting on Activism: Realizing the Vision of Debate with Pro-social Impact” Paper presented at the National Communication Association Annual Conference November 17th 2005 JW 11/18/15

An important concern emerges when Mitchell describes reflexive fiat as a contest strategy capable of “eschewing the power to directly control external actors” (1998b, p. 20). Describing debates about what our government should do as attempts to control outside actors is debilitating and disempowering. Control of the US government is exactly what an active, participatory citizenry is supposed to be all about. After all, if democracy means anything, it means that citizens not only have the right, they also bear the obligation to discuss and debate what the government should be doing. Absent that discussion and debate, much of the motivation for personal political activism is also lost. Those who have co-opted Mitchell’s argument for individual advocacy often quickly respond that nothing we do in a debate round can actually change government policy, and unfortunately, an entire generation of debaters has now swallowed this assertion as an article of faith. The best most will muster is, “Of course not, but you don’t either!” The assertion that nothing we do in debate has any impact on government policy is one that carries the potential to undermine Mitchell’s entire project. If there is nothing we can do in a debate round to change government policy, then we are left with precious little in the way of pro-social options for addressing problems we face. At best, we can pursue some Pilot-like hand washing that can purify us as individuals through quixotic activism but offer little to society as a whole. It is very important to note that Mitchell (1998b) tries carefully to limit and bound his notion of reflexive fiat by maintaining that because it “views fiat as a concrete course of action, it is bounded by the limits of pragmatism” (p. 20). Pursued properly, the debates that Mitchell would like to see are those in which the relative efficacy of concrete political strategies for pro-social change is debated. In a few noteworthy examples, this approach has been employed successfully, and I must say that I have thoroughly enjoyed judging and coaching those debates. The students in my program have learned to stretch their understanding of their role in the political process because of the experience. Therefore, those who say I am opposed to Mitchell’s goals here should take care at such a blanket assertion. However, contest debate teaches students to combine personal experience with the language of political power. Powerful personal narratives unconnected to political power are regularly co-opted by those who do learn the language of power. One need look no further than the annual state of the Union Address where personal story after personal story is used to support the political agenda of those in power. The so-called role-playing that public policy contest debates encourage promotes active learning of the vocabulary and levers of power in America. Imagining the ability to use our own arguments to influence government action is one of the great virtues of academic debate. Gerald Graff (2003) analyzed the decline of argumentation in academic discourse and found a source of student antipathy to public argument in an interesting place. I’m up against…their aversion to the role of public spokesperson that formal writing presupposes. It’s as if such students can’t imagine any rewards for being a public actor or even imagining themselves in such a role. This lack of interest in the public sphere may in turn reflect a loss of confidence in the possibility that the arguments we make in public will have an effect on the world. Today’s students’ lack of faith in the power of persuasion reflects the waning of the ideal of civic participation that led educators for centuries to place rhetorical and argumentative training at the center of the school and college curriculum. (Graff, 2003, p. 57) The power to imagine public advocacy that actually makes a difference is one of the great virtues of the traditional notion of fiat that critics deride as mere simulation. Simulation of success in the public realm is far more empowering to students than completely abandoning all notions of personal power in the face of governmental hegemony by teaching students that “nothing they can do in a contest debate can ever make any difference in public policy.” Contest debating is well suited to rewarding public activism if it stops accepting as an article of faith that personal agency is somehow undermined by the so-called role playing in debate. Debate is role-playing whether we imagine government action or imagine individual action. Imagining myself starting a socialist revolution in America is no less of a fantasy than imagining myself making a difference on Capitol Hill. Furthermore, both fantasies influenced my personal and political development virtually ensuring a life of active, pro-social, political participation. Neither fantasy reduced the likelihood that I would spend my life trying to make the difference I imagined. One fantasy actually does make a greater difference: the one that speaks the language of political power. The other fantasy disables action by making one a laughingstock to those who wield the language of power. Fantasy motivates and role-playing trains through visualization. Until we can imagine it, we cannot really do it. Role-playing without question teaches students to be comfortable with the language of power, and that language paves the way for genuine and effective political activism. Debates over the relative efficacy of political strategies for pro-social change must confront governmental power at some point. There is a fallacy in arguing that movements represent a better political strategy than voting and person-to-person advocacy. Sure, a full-scale movement would be better than the limited voice I have as a participating citizen going from door to door in a campaign, but so would full-scale government action. Unfortunately, the gap between my individual decision to pursue movement politics and the emergence of a full-scale movement is at least as great as the gap between my vote and democratic change. They both represent utopian fiat. Invocation of Mitchell to support utopian movement fiat is simply not supported by his work, and too often, such invocation discourages the concrete actions he argues for in favor of the personal rejectionism that under girds the political cynicism that is a fundamental cause of voter and participatory abstention in America today.

#### 2. Oppression is created by social systems so only a focus on material conditions can solve.

Johnson no date Allan Johnson (PhD in sociology, he joined the sociology department at Wesleyan University) <http://www.cabrillo.edu/~lroberts/AlanJohnsonWhatCanWeDO001.pdf> JW

Privilege is a feature of social systems, not individuals. People have or don't have privilege depending on the system they're in and the social categories other people put them in. To say, then, that I have race privilege says less about me personally than it does about the society we all live in and how it is organized to assign privilege on the basis of a socially defined set of racial categories that change historically and often overlap. The challenge facing me as an individual has more to do with how I participate in society as a recipient of race privilege and how those choices oppose or support the system itself. In dealing with the problem of privilege, we have to get used to being surrounded by paradox. Very often those who have privilege don't know it, for example, which is a key aspect of privilege. Also paradoxical is the fact that privilege doesn't necessarily lead to a "good life," which can prompt people in privileged groups to deny resentfully that they even have it. But privilege doesn't equate with being happy. It involves having what others don't have and the struggle to hang on to it at their expense, neither of which is a recipe for joy, personal fulfillment, or spiritual contentment.... To be an effective part of the solution, we have to realize that privilege and oppression are not a thing of the past. It's [is] happening right now. It isn't just a collection of wounds inflicted long ago that now need to be healed. The wounding goes on as I write these words and as you read them, and unless people work to change the system that promotes it, personal healing by itself cannot be the answer. Healing wounds is no more a solution to the oppression that causes the wounding than military hospitals are a solution to war. Healing is a necessary process, but it isn't enough.... Since privilege is rooted primarily in systems—such as families, schools, and workplaces—change isn't simply a matter of changing people. People, of course, will have to change in order for systems to change, but the most important point is that changing people isn't enough. The solution also has to include entire systems, such as capitalism, whose paths of least resistance shape how we feel, think, and behave as individuals, how we see ourselves and one another.

### Underview

#### 1. Vote down debaters that are dressed formally. Differences in clothing create cognitive biases; the richer you are, the better you dress and the smarter you seem to judges.

Fletcher 13 What Your Clothes Might Be Saying About You [Ben C. Fletcher D.Phil., Oxon](https://www.psychologytoday.com/experts/ben-c-fletcher-dphil-oxon) <https://www.psychologytoday.com/blog/do-something-different/201304/what-your-clothes-might-be-saying-about-you> April 20, 2013 Psychology Today Accessed 4/27/16

Two [published](http://www.emeraldinsight.com/journals.htm?articleid=17078156&ini=aob" \t "_blank" \o "do something different ben fletcher behavior change fashion article 2013)1 studies by our [team](https://www.psychologytoday.com/basics/teamwork) in the UK and Turkey shows some of the very subtle ways in which clothing influences all kinds of impressions about us. **Our clothes make a huge difference to what people think about us** – and without us knowing or in ways we couldn’t even imagine. People make their assessments in the first few seconds of seeing another; assessments that go way beyond how well you are dressed and how neat and tidy you might look. We carried out the research with over 300 adults (men and women). They looked at images of a man and a woman for just 3 seconds before making 'snap judgements' about them. **In some** of the **pictures the man wore a made-to-measure suit. In others he wore a** very similar **off-the-peg suit bought on the** high **street.** The differences in the suits were very minor – we controlled for all the big differences such as color and fabric, as well as making sure the face of the model was pixillated so that there could be no hidden messages in the facial expressions. After just a 3-second exposure people judged the man more favourably in the bespoke suit. And the judgements were not about how well dressed he was. **They rated him as more confident, successful,** flexible **and a higher earner** in a tailor-made suit than when he wore a high street equivalent. Since the model’s face in the pictures was blanked out these impressions must have been formed after quickly eyeing what he was wearing. So, **our clothes** say a great deal about who we are and can **signal a great deal of socially important things to others**, even if the impression is actually unfounded. Research suggests that these impressions about us can start in[childhood](https://www.psychologytoday.com/basics/child-development) - one study found that teachers made assumptions about children's academic ability based on their clothing.

#### Formal clothing creates racist double standards. McDermott 11

The Influence of Clothing Fashion and Race on the Perceived Socioeconomic Status and Person Perception of College Students LAUREN A. MCDERMOTT Walden University TERRY F. PETTIJOHN II Coastal Carolina University Psychology & Society, 2011, Vol. 4 (2), 64 - 75 http://www.psychologyandsociety.org/\_\_assets/\_\_original/2012/01/McDermott\_Pettijohn.pdf

Unfortunately, despite having an African American president in office, civil rights movements, social policy passage, and evolving tolerance, racism is still a challenge in the United States today (Stewart et al., 2010). Past research has widely investigated racism and has found minorities are often discriminated against as members of the out-group (Whitley & Kite, 2010). In the current research, we predicted **the Caucasian model** would be **rated more favorably than the African American model**. Research has also shown that income inequality has increased in recent years, leading to a decrease in general happiness among Americans related to further differentiation in social class distinctions (Oishi, Kesebir, & Diener, 2011). Classism is often expressed through cognitive and behavioral distancing (Lott, 2002) and can have serious implications for education, housing, healthcare, and other important areas of discrimination in life (APA, 2000). Therefore, we also predicted that **models wearing a low status sweatshirt** logo would be **rated** as **lower** SES and models wearing a high status sweatshirt logo were predicted to be rated as high SES. In addition, **Caucasian models wearing** the **high status** sweatshirt **were** predicted to be **rated most positively and the African American models wearing the low status sweatshirt were** predicted to be **rated least positively on potential success**, attractiveness, and other interpersonal dimensions.

#### 2. Aff gets 1AR theory—otherwise the neg can be infinitely abusive and there’s no 1AR recourse or way to check against this. Aff theory is drop the debater because the 1AR is too short to be able to answer theory and adequately cover substance.

#### 3. SCOTUS ruled that “any” implies limitations on the object they refer to.

Von Eintel 11 Kai Von Fintel, 7-6-2011, "Justice Breyer, Professor Austin, and the Meaning of 'Any'," Language Log, <http://languagelog.ldc.upenn.edu/nll/?p=3248> MG

In a recent interview, Supreme Court Justice Breyer lists the five books that have influenced his thinking the most. Among them: J.L. Austin's How to Do Things with Words. Breyer says: JL Austin was an ordinary language philosopher. When I studied in Oxford, I went to one of his classes and I read his books. How to Do Things with Words teaches us a lot about how ordinary language works. It is useful to me as a judge, because it helps me avoid the traps that linguistic imprecision can set. If I had to pick a single thing that I draw from Austin's work it would be that context matters. It enables us to understand, when someone makes a statement, what that statement refers to and what that person meant. When I see the word "any" in a statute, I immediately know it's unlikely to mean "anything" in the universe. "Any" will have a limitation on it, depending on the context. When my wife says, "there isn't any butter," I understand that she's talking about what is in our refrigerator, not worldwide. We look at context over and over, in life and in law. Austin suggests that there is good reason to look beyond text to context. Context is very important when you examine a statement or law. A statement made by Congress, under certain formal conditions, becomes a law. Context helps us interpret language, including the language of a statute. Purpose is often an important part of context. So Austin probably encourages me to put more weight on purpose. It is very interesting that Breyer should choose the word "any" as an example of why context matters. A few years back, there was in fact a Supreme Court decision (Small v. United States) that hinged on the meaning of "any" (pdf of the decision here]). And as it turns out, Justice Breyer wrote the decision for the majority (made up of Breyer, Stevens, O'Connor, Souter, and Ginsburg; ah the good old days). The background: Petitioner Small was convicted in a Japanese Court of trying to smuggle firearms and ammunition into that country. He served five years in prison and then returned to the United States, where he bought a gun. Federal authorities subsequently charged Small under 18 U. S. C. §922(g)(1), which forbids "any person … convicted in any court … of a crime punishable by imprisonment for a term exceeding one year … to … possess … any firearm." Small subsequently argued that any court was not meant to encompass foreign courts, only domestic ones. The Supreme Court agreed. The arguments in the decision are a good case study of semantics/pragmatics in the real (well, legal) world. Here are some excerpts: The question before us is whether the statutory reference "convicted in any court" includes a conviction entered in a foreign court. The word "any" considered alone cannot answer this question. In ordinary life, a speaker who says, "I'll see any film," may or may not mean to include films shown in another city. In law, a legislature that uses the statutory phrase " 'any person' " may or may not mean to include " 'persons' " outside "the jurisdiction of the state." See, e.g., United States v. Palmer, 3 Wheat. 610, 631 (1818) (Marshall, C. J.) ("[G]eneral words," such as the word "'any,' " must "be limited" in their application "to those objects to which the legislature intended to apply them"); Nixon v. Missouri Municipal League, 541 U. S. 125, 132 (2004) (" 'any' " means "different things depending upon the setting"); United States v. Alvarez-Sanchez, 511 U. S. 350, 357 (1994) ("[R]espondent errs in placing dispositive weight on the broad statutory reference to 'any' law enforcement officer or agency without considering the rest of the statute"); Middlesex County Sewerage Authority v. National Sea Clammers Assn., 453 U. S. 1, 15-16 (1981) (it is doubtful that the phrase " 'any statute' " includes the very statute in which the words appear); Flora v. United States, 362 U. S. 145, 149 (1960) ("[A]ny sum," while a "catchall" phase, does not "define what it catches"). Thus, even though the word "any" demands a broad interpretation, see, e.g., United States v. Gonzales, 520 U. S. 1, 5 (1997), we must look beyond that word itself.

#### 4. The aff uses state as heuristic which doesn’t affirm its legitimacy but allows enhanced governmental resistance.

Zanotti 14 Dr. Laura Zanotti (Associate Professor of Political Science at Virginia Tech) “Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World” – Alternatives: Global, Local, Political – vol 38(4):p. 288-304,. A little unclear if this is late 2013 or early 2014 – The Stated “Version of Record” is Feb 20, 2014, but was originally published online on December 30th, 2013. Obtained via Sage Database

By questioning substantialist representations of power and subjects, inquiries on the possibilities of political agency are reframed in a way that focuses on power and subjects’ relational character and the contingent processes of their (trans)formation in the context of agonic relations. Options for resistance to governmental scripts are not limited to ‘‘rejection,’’ ‘‘revolution,’’ or ‘‘dispossession’’ to regain a pristine ‘‘freedom from all constraints’’ or an immanent ideal social order. It is found instead in multifarious and contingent struggles that are constituted within the scripts of governmental rationalities and at the same time exceed and transform them. This approach questions oversimplifications of the complexities of liberal political rationalities and of their interactions with non-liberal political players and nurtures a radical skepticism about identifying universally good or bad actors or abstract solutions to political problems. International power interacts in complex ways with diverse political spaces and within these spaces it is appropriated, hybridized, redescribed, hijacked, and tinkered with. Governmentality as a heuristic focuses on performing complex diagnostics of events. It invites historically situated explorations and careful differentiations rather than overarching demonizations of ‘‘power,’’ romanticizations of the ‘‘rebel’’ or the ‘‘the local.’’ More broadly, theoretical formulations that conceive the subject in non-substantialist terms and focus on processes of subjectification, on the ambiguity of power discourses, and on hybridization as the terrain for political transformation, open ways for reconsidering political agency beyond the dichotomy of oppression/rebellion. These alternative formulations also foster an ethics of political engagement, to be continuously taken up through plural and uncertain practices, that demand continuous attention to ‘‘what happens’’ instead of fixations on ‘‘what ought to be.’’83 Such ethics of engagement would not await the revolution to come or hope for a pristine ‘‘freedom’’ to be regained. Instead, it would constantly attempt to twist the working of power by playing with whatever cards are available and would require intense processes of reflexivity on the consequences of political choices. To conclude with a famous phrase by Michel Foucault ‘‘my point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad. If everything is dangerous, then we always have something to do. So my position leads not to apathy but to hyper- and pessimistic activism.’’84

#### 5. Even if the state is bad, legal debates are key to critiquing law.

Harris and Maeda 4 (Prof @ UC Davis School of Law; Professor of Critical Theory and Social Justice @ Occidental) (Angela Harris and Donna Maeda, Power and Resistance in Contemporary Legal Education, in Legal Education and the Reproduction of Hierarchy, Project MUSE)

Efforts by progressive students to transform hierarchies indicate the importance of constant resistance, and also the usefulness of a midlevel political analysis: not focusing on the law school (the local) as a fulcrum for changing the world (the global) but understanding legal education as one aspect of very particular social struggles for justice. The Coalition for Diversity in some ways is the embodiment of the kind of resistance Kennedy advocates. Its diffuse structure and efforts have enabled members to figure out how to connect issues, to constantly look for complex relationships of the operations of power, and to set in motion dynamics of change even beyond specific, planned actions. The organization’s success may at times appear small, but the complexity of power relationships indi- cates the necessity of such small, constant resistances. Such organizing work, which contributes to the development of complex critical perspectives and coalition-building skills, as well as lessons learned by efforts to change the most elite, hierarchical structures (such as law review), may help prepare such students for struggles in the hierarchically ordered lib- eral legal-political world we inhabit. At the same time, progressive students in the Coalition and elsewhere add to Kennedy’s two left stances an ability to treat law as only one thread in a web of relations of power and to bring their prior experiences of sub- ordination, resistance, and critical thinking directly to bear on their law school organizing. Both the liberal and radical stances Kennedy describes understand the law as the law understands itself: as, for good or ill, the foundation of the house of power. This view, however, sustains power relations by appealing only to the realm of law itself for resistance. The belief that law school, the legal profession, and the law more generally are the sole, or even key, places for reproducing or undoing hierarchy sets up this realm as the most significant place for work in confronting power, so that people with legal skills continue to be held up as the most important ac- tors for social change. As an alternative, progressive law students may use their involvement with the law to participate in broader resistance practices. We have focused on connecting resistance against legal hierarchy with the fight for racial justice, but of course there are many other kinds of anti-subordina- tion struggles that can serve as the basis for a valuable praxis. Kennedy’s assessment of the circuits of institutional self-replication remains a valu- able one; but left students who come to law school need not choose between liberal naïveté and radical alienation. Instead, law students may draw on their experiences of hierarchy outside legal education to transform their conditions of life, grounded in the knowledge of the necessity of constant struggle and resistance.